

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY L. SPALDING,
Plaintiff,

v.

FLAGSTAR BANK, FSB,
Defendant.

Case No. 14-cv-01398-JD

ORDER REMANDING CASE

This case was removed from California state court pursuant to 28 U.S.C. § 1441 on March 26, 2014; the basis alleged for this Court's jurisdiction was diversity of citizenship under 28 U.S.C. § 1332. Notice of Removal ¶ 2, Dkt. No. 1. A precondition to federal court jurisdiction on this ground is an amount in controversy that exceeds \$75,000. 28 U.S.C. § 1332(a). At the June 18, 2014, hearing on defendant's motion to dismiss the first amended complaint, the parties agreed on the record that the amount in controversy does not exceed \$50,000. The Court therefore remands the case back to the Superior Court of the State of California for the County of Contra Costa pursuant to 28 U.S.C. § 1447(c).

IT IS SO ORDERED.

Dated: December 9, 2014



JAMES DONATO
United States District Judge